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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,328	03/28/2001	Charles J. Horvath	SRT-006CP (5049/7)	4371

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EXAMINER

MOORTHY, ARAVIND K

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 06/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,328

Applicant(s)

HORVATH ET AL.

Examiner

Aravind K Moorthy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-18 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 28 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date g.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-18 are pending in the application.
2. Claims 1-18 stand being rejected.

Response to Amendment

3. The examiner approves to the amendments made to claims 1 and 10. No new matter has been added.
4. The examiner approves the amendments made to claims 6, 8, 9, 12, 15 and 17. The amendments have corrected the minor typographical errors.
5. The examiner withdraws the double patenting rejection with the abandonment of application 09/550,230.

Response to Arguments

6. Applicant's arguments filed 3/30/04 have been fully considered but they are not persuasive.

On page 7, the applicant argues that Levy fails to teach elements of the independent claims. The applicant argues that Levy does not describe interactions between remote systems.

The examiner respectfully disagrees. There is not recitation of interactions between remote systems in the independent claims. However, Levy does teach interactions with remote nodes.

On page 8, the applicant argues that Willens fails to describe the elements that Levy lacks.

The examiner respectfully disagrees. Willens was not used to teach interactions with remote nodes. Levy was used to teach that limitation.

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On page 9, the applicant argues that Willens fails to teach receiving an identifier from the remote system and extending the firewall by using the identifier to filter information received through the connection with the remote system.

The examiner respectfully disagrees. Willens teaches using addresses as an identifier from the remote system. Information is filtered through the use of the remote addresses. The combination of Levy and Willens teaches extending the firewall by using the identifier.

On page 9, the applicant argues that there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.

The examiner respectfully disagrees. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it enhances security so that a third party does not get a hold of identifiers being transmitted from the client side.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-6, 8 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Levy et al U.S. Patent No. 6,212,633 B1.

As to claims 1 and 10, Levy et al discloses establishing a connection with a remote system [column 13, lines 8-20]. Levy et al discloses receiving an identifier from the remote system [column 13, lines 28-32]. Levy et al discloses using the identifier to filter information received through the connection with the remote system [column 6, lines 12-18].

As to claim 2, Levy et al discloses initiating a serial connection with the remote system [column 5, lines 38-55].

As to claim 3, Levy et al discloses contacting the remote system [column 12, lines 16-20]. Levy et al discloses providing the remote system with authentication credentials [column

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11, lines 29-45]. Levy et al discloses receiving a serial connection from the remote system in response to the authentication credentials [column 14, lines 36-67].

As to claim 4, Levy et al discloses requesting an identifier from the remote system [column 20, lines 46-59]. Levy et al discloses receiving an identifier in response to the request [column 20, lines 46-59].

As to claim 5, Levy et al suggests that the identifier from the remote system is an Internet Protocol (IP) address [column 7, lines 7-25].

As to claim 6, Levy et al discloses receiving a packet of information from the remote system [column 15, lines 65-67]. Levy et al discloses examining the packet of information to determine its destination address [column 16 line 63 to column 17 line 3]. Levy et al discloses comparing the destination address to the identifier received from the remote system [column 16 line 63 to column 17 line 3]. Levy et al discloses accepting the packet if its destination address matches the identifier [column 16 line 63 to column 17 line 3]. Levy et al discloses rejecting the packet if its destination address does not match the identifier [column 16 line 63 to column 17 line 3].

As to claim 8, Levy et al discloses assigning the identifier received from the remote system to the local system [column 15, lines 39-49].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7, 9, and 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levy et al U.S. Patent No. 6,212,633 B1 as applied to claim 1 above, and further in view of Willens U.S. Patent No. 5,889,958.

As to claims 7, 9 and 16, Levy et al does not teach that the remote system chooses the identifier transmitted from a pool of identifiers. Levy et al does not teach receiving a second identifier from the remote system. Levy et al does not teach assigning the second identifier to service management logic on the local system. Levy et al does not teach using the second identifier to filter information received through the connection with the remote system.

Willens teaches that a remote system chooses the identifier transmitted from a pool of identifiers [column 8, lines 26-31]. Willens teaches receiving a second identifier from the remote system [column 8, lines 26-31]. Willens teaches assigning the second identifier to service management logic on the local system [column 8, lines 26-31]. Willens teaches using the second identifier to filter information received through the connection with the remote system [column 5, lines 9-37].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Levy et al so that the remote system would have chosen the identifier from a pool of identifiers. The firewall would have received a second identifier from the remote system. This second identifier would have been used to filter information received through the connection between the firewall and the remote system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Levy et al by the teaching of Willens because the examiner

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asserts that enhances security so that a third party does not get a hold of identifiers being transmitted from the client side.

As to claim 11, the Levy teaches the initiation of a serial connection by a remote system [column 5, lines 38-55].

As to claim 12, Levy teaches receiving a call from the remote system [column 13, lines 8-20]. Levy teaches receiving authentication credentials from the remote system [column 6, lines 52-61]. Levy teaches initiating a serial connection with the remote system in response to the authentication credentials [column 14, lines 36-67].

As to claim 13, Levy teaches requesting an identifier from the remote system [column 20, lines 46-59]. Levy teaches receiving an identifier in response to the request [column 20, lines 46-59].

As to claim 14, Levy teaches that the identifier from the remote system is an Internet Protocol (IP) address [column 7, lines 7-25].

As to claim 15, Levy teaches receiving a packet of information from the remote system [column 15, lines 65-67]. Levy teaches examining the packet of information to determine its destination address [Levy column 16 line 63 to column 17 line 3]. Levy teaches comparing the destination address to the identifier received from the remote system [column 16 line 63 to column 17 line 3]. Levy teaches accepting the packet if its destination address matches the identifier, as discussed above. Levy teaches rejecting the packet if its destination address does not match the identifier [column 16 line 63 to column 17 line 3].

As to 17, Levy teaches assigning the identifier received from the remote system to the local system, as discussed above.

As to 18, Levy teaches receiving a second identifier from the remote system, as discussed above. Levy teaches using the second identifier to filter information received through the connection with the remote system, as discussed above. Levy teaches assigning the second identifier to service management logic on the local system, as discussed above.

Conclusion

9. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K Moorthy whose telephone number is 703-305-1373. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy
June 3, 2004


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